

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA

10 Plaintiff,

11 v.

12 GURPINDER SINGH,

Defendant.

Case No. CR11-362-RSL

DETENTION ORDER

13 Offenses charged:

14 Conspiracy to Smuggle, Harbor & Transport Illegal Aliens; and Transporting Illegal
15 Aliens within the United States.

16 Date of Detention Hearing: November 9, 2011.

17 The Court, having conducted a detention hearing pursuant to Title 18 U.S.C. § 3142(f),
18 and based upon the factual findings and statement of reasons for detention hereafter set forth,
19 finds that no condition or combination of conditions which the defendant can meet will
20 reasonably assure the appearance of the defendant as required and the safety of any other person
21 and the community.

22 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

23 The government proffered evidence that defendant has the means and expertise to evade

1 detection and to leave the country if so he so desires. Defendant runs a limo service and travel
2 agency and makes travel arrangements for a living. When defendant was arrested, he was in
3 possession of a forged Social Security card and Immigration card. Defendant was born in India
4 and has strong ties to that country. He travels there regularly and last visited this April. He has
5 family ties to India as his brother and sister both live there. Those ties are highlighted by his
6 wife's plan to travel there this year with their daughter to arrange a marriage. The evidence
7 against defendant is strong according to the government as it is based on intercepted phone calls,
8 surveillance, and the use of undercover agents. The evidence proffered also shows that
9 defendant is charged with an offense that is both serious and widespread. The offenses alleged
10 are not limited to a single incident, but instead involve repeated alleged smugglings across the
11 nation. Defendant allegedly also held a leadership position in the alleged offenses. The scope of
12 the alleged offenses indicate a level of sophistication. This is not a case where a defendant is
13 charged with just walking a person across the U.S. and Canada border. Additionally, the
14 government also proffered that defendant submitted misleading or false information that resulted
15 in the release of an individual from immigration custody. The defendant's ability to deceive a
16 court into releasing an individual also evidences his danger to the community and his risk of
17 flight.

18 It is therefore **ORDERED**:

19 (1) Defendant shall be detained pending trial and committed to the custody of the
20 Attorney General for confinement in a correctional facility separate, to the extent practicable,
21 from persons awaiting or serving sentences, or being held in custody pending appeal;

22 (2) Defendant shall be afforded reasonable opportunity for private consultation with
23 counsel;

(3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the correctional facility in which Defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

(4) The Clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 9th day of November, 2011.

137

BRIAN A. TSUCHIDA
United States Magistrate Judge